

PATENT
Attorney's Document No. ITW 7188.64

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : James M. Thommes
Application No.: 10/774128
Group Art Unit: 2838
Filed: February 5, 2004
For: Method And Apparatus For Receiving A Universal Input Voltage
In A Welding Power Source

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 CFR 1.97(b))

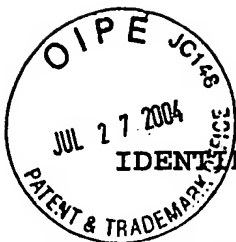
- Note: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).
- NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to 1.71 and at least one claim pursuant to 1.75; and (2) any drawing required by 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by 1.41." 37 CFR 1.97(b)(1). On the other hand, and international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. 371(c) within the periods set forth in 1.494 or 1.494. 35 U.S.C. 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 7/23/41


George R. Corrigan



IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

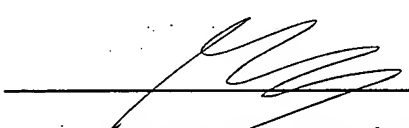
NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing.

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing application (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse of the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James M. Thommes
Serial No. : 10/774128
Filing Date : February 5, 2004
For : Method And Apparatus For Receiving A
Universal Input Voltage In A Welding
Power Source

Attorney Docket No. : ITW 7188.64

Disclosure of Prior Art, Litigation, and Litigation Documents

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Dear Sir:

Enclosed is a form 1449 and cited art.

Also, pursuant to MPEP 2001.06(c) Applicant is hereby notifying the Office that at least some of the subject matter being claimed is the subject of an existing litigation (Case No. 1:03-CV-00966, ED Wis), wherein the assignee Illinois Tool Works Inc. has sued Thermal Dynamics Corporation. Applicant is including copies of papers from that litigation, including:

- Defendant's Answer
- Defendant's Amended Answer
- Defendant's Answer to the Second Amended Complaint
- Defendant's Answer to the First Set of Interrogatories
- Defendant's Supplemental Answer to the 1st Interrogatories

These documents are being provided because the Defendant has asserted the parent patents are invalid. The prior art referred to by the Defendant has previously been cited, or is cited herein.

Respectfully Submitted

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Form PTO-1449		U.S. Department of Commerce Patent And Trademark Office		ATTY. DOCKET NO. ITW 7188.64		SERIAL NO. 10/774128	
SUPPLEMENTAL INFORMATION DISCLOSURE CITATION				APPLICANT James M. Thommes			
				FILING DATE February 5, 2004		GROUP 2838	
U.S. PATENT DOCUMENTS							
EXAM. INIT.	REF	PATENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
FOREIGN PATENT DOCUMENTS							
EXAM INIT	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pages, Etc.)							
		"Power Factor Controller IC Minimizes External Component", Jade H. Alberkrack and Steven M. Barrow, PCIM Power Conversion & Intelligent Motion - February 1993 pages 42-47.					
		"Power Factor Correction Control Circuits", Phillip C. Todd, PCIM Power Conversion & Intelligent Motion - October 1993 pgs 70-79					
		"Techniques for Improving Power Factors", Vince Cardinale, Power technics Magazine - April 1990					
		Very High Efficiency Techniques ad Their Selective Application to the design of a 70A Rectifier Technol., Blackburn, Vic. Machin, N. Vescovi, T. Telecommunications Energy Conference, 1993, INTEL '93, 15 th International 9/27-30/1993					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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July 23, 2004

George R. Corrigan

Form PTO-1449

U.S. Department of Commerce Patent
And Trademark Office

ATTY. DOCKET NO.

ITW 7188.64

SERIAL NO.

10/774128

SUPPLEMENTAL

INFORMATION DISCLOSURE CITATION

APPLICANT

James M. Thommes

FILING DATE

February 5, 2004

GROUP

2838

U.S. PATENT DOCUMENTS

EXAM. INIT.	REF	PATENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAM INIT	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pages, Etc.)

		Unitrode Power Supply Design Seminar SEM-700, Topic 7, 1990 Optimizing the Design of a High Power Factor Switching Preregulator By: Lloyd Dixon
		Welding Processes and Power Sources, Edward R. Pierce , third edition, 1985 Power Factor, Chapter 6,
		Welding Processes and Power Sources, Edward R. Pierce , third edition, 1985, Power Flow Sequence, Pages 176-178

EXAMINER	DATE CONSIDERED
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7/23/04

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